

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

THERESE M. SPENCER,

Plaintiff,

v.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

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Civil Action No. 1:05-CV-133-C  
ECF


**ORDER**

**THIS MATTER** comes before the court on the Report and Recommendation filed September 1, 2006 (Doc. 26). No written objections have been filed.

**IT IS, THEREFORE, ORDERED** that the findings and conclusions in the Report and Recommendation are **ADOPTED** as the findings and conclusions of the court and that this cause is reversed and remanded to the Commissioner for further proceedings pursuant to 405 U.S.C. § 405(g).

Upon remand and after further consideration of the evidence in the record, the ALJ should appropriately consider and weigh the opinion of Dr. Orenstein, a treating specialist, on the limitations imposed by Plaintiff's impairments, consider the limitations imposed by Plaintiff's right upper extremity problems, and consider Plaintiff's subjective allegations as to the limitations imposed by her impairments.

Dated September 22, 2006.

  
SAM R. CUMMINGS  
UNITED STATES DISTRICT COURT